

GREER, HERZ & ADAMS, L.L.P.

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ATTORNEYS AT LAW

ONE MOODY PLAZA, 18TH FLOOR
GALVESTON, TEXAS 77550-7998
FAX (409) 766-6424

STEVE WINDSOR
(409) 797-3209
swindsor@greerherz.com
Galveston Office

—
(409) 797-3200
(281) 480-5278 (HOUSTON)
www.greerherz.com

BAY AREA HOUSTON OFFICE:
2525 SOUTH SHORE BLVD., SUITE 203
LEAGUE CITY, TEXAS 77573
FAX (281) 538-3791

October 2, 2012

Magistrate Judge Cheryl L. Pollak
Chambers Room 1230
Via Fax (718) 613-2365
Via ECF

Re: Docket No. 12-cv-1857 (FB) (CLP); *Joel Lowy v. American National Insurance Company*; U.S. District Court, Eastern District of New York

Dear Judge Pollak:

This matter is set for a status conference on Thursday October 4, 2012 at 8:00 a.m. Defendant asks that the status conference for October 4, 2012 be adjourned for two weeks. Defendant's counsel from Galveston, Texas, who attended the last conference and will be attending the upcoming status conference, asks for this continuance. His wife is scheduled for surgery (removal of gall bladder) today. Defendant's counsel seeks a continuance so that he does not have to leave his home so soon after surgery.

Furthermore, this case is settling and the settlement agreement should be finalized within the next week. I have not been able to contact opposing counsel but it is my understanding counsel is observing Jewish holidays. The recent Jewish holidays have slowed things up a bit. Although I have not been able to reach opposing counsel for Plaintiff's position on this application, we believe they consent. Attached is a proposed order which Defendant prays is acceptable to the Court.

Respectfully submitted,

/s/ Steve Windsor from Greer, Herz & Adams

The Law Office of Andrew J. Frisch

Andrew J. Frisch

40 Fulton Street, 23rd Floor

New York, New York 10038

Telephone: (212) 285-8000

Facsimile: (646) 304-0352

Counsel for Defendant American National Insurance Company

October 2, 2012

Page 2

Re: Docket No. 12-cv-1857 (FB) (CLP); *Joel Lowy v. American National Insurance Company*; U.S.
District Court, Eastern District of New York

Of counsel:

Steve Windsor

Texas State Bar No. 21760650

Greer, Herz & Adams, LLP

One Moody Plaza, 18th Floor

Galveston, Texas 77550

Telephone: (409) 797-3200

Fax: (409) 766-6424

Counsel for Defendant American National Insurance Company

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK**

JOEL LOWY,
Plaintiff

-vs-

AMERICAN NATIONAL INSURANCE
COMPANY,
Defendant.

)
)
)
)
)
)
)

Case No. 12 CV 1857 (FB) (CLP)

ORDER

Before the Court is the Defendant's request for continuance of the status conference scheduled for October 4, 2012. The Court has reviewed the request and finds it has merit. It is, therefore,

ORDERED that the October 4, 2012 status conference is adjourned, and,

ORDERED that a status conference is set for October ____, 2012 at ____ am/pm.

DONE this ____ day of October, 2012.

CHERYL L. POLLAK
UNITED STATES MAGISTRATE JUDGE